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September 16, 1999

FILE: UTXC:504 *

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

September 16, 1999

Date

Nicole W. Stafford
Nicole W. Stafford

Assistant Commissioner for Patents
Washington, DC 20231

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RE: SN 08/726,211 "INHIBITION OF BCL-2 PROTEIN EXPRESSION BY LIPOSOMAL ANTISENSE OLIGODEOXYNUCLEOTIDES" - Gabriel Lopez-Berestein, et al. (Client Ref. UTMDACC:504; ID96-020)

Sir:

Please find enclosed:

1. Amendment and Response to Office Action dated July 16, 1999 and Exhibit A; and
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Please forward any reply to this communication directly to our Houston office for docketing purposes. The mailing address is P.O. Box 4433, Houston, Texas, 77210-4433; the physical address for courier packages is 750 Bering Drive, Houston, Texas, 77057, and the Houston facsimile number is (713) 787-1440.

ARNOLD WHITE & DURKEE

Assistant Commissioner for Patents
September 16, 1999
Page 2

If any fees are required under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Arnold, White & Durkee Deposit Account No. 01-2508/UTXC:504/STA.

Respectfully submitted,

Nicole Stafford

Nicole Stafford
Reg. No. 43,929

NWS:ks
Encls.

AMENDMENT UNDER 37 C.F.R. § 1.116

EXPEDITED PROCEDURE

EXAMINING GROUP 1636



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Okay to
enter
DAV
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In re Application of:

Mar Tormo
Ana M. Tari
Gabriel Lopez-Berestein

Serial No.: 08/726,211

Filed: October 4, 1996

For: INHIBITION OF BCL-2 PROTEIN
EXPRESSION BY LIPOSOMAL
ANTISENSE
OLIGODEOXYNUCLEOTIDES

Group Art Unit: 1636

Examiner: R. Schwartzman

Atty. Dkt. No.: UTXC:504/STA

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September 16, 1999
Date

Nicole W. Stafford
Nicole W. Stafford

**AMENDMENT UNDER 37 C.F.R. § 1.116;
RESPONSE TO FINAL OFFICE ACTION DATED JULY 16, 1999**

BOX AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request that the following amendments be entered in the captioned patent application in accordance with 37 C.F.R. § 1.116. Applicants submit the foregoing amendments to place the case in even better condition for allowance or appeal.

This paper is submitted in response to the final Office Action dated July 16, 1999 for which the three-month date for response is October 16, 1999.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Assistant Commissioner is authorized to deduct said fees from Arnold White & Durkee Deposit Account No. 01-2508/UTXC:504/STA.

Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

AMENDMENT

1. (Five Times Amended) A composition comprising a first antisense polynucleotide that hybridizes to a second, Bcl-2-encoding polynucleotide under intracellular conditions and a neutral lipid associated with said first polynucleotide, to form a Bcl-2 polynucleotide/neutral lipid association, wherein said first polynucleotide comprises at least 8 nucleotides of the sequence CAGCGTGCGCCATCCTTC (SEQ ID NO:1), wherein said polynucleotide is complementary to the translation initiation site of Bcl-2.

9. (Four Times Amended) A composition comprising an expression construct that encodes a first antisense polynucleotide that hybridizes to a second, Bcl-2-encoding polynucleotide under intracellular conditions, wherein said construct is under the control of a promoter that is active in eukaryotic cells and associated with a neutral lipid, wherein said first polynucleotide comprises at least 8 nucleotides of the sequence CAGCGTGCGCCATCCTTC (SEQ ID NO:1), wherein said polynucleotide is complementary to the translation initiation site of Bcl-2.